

FILED  
11/3/22 12:51 pm  
CLERK  
U.S. BANKRUPTCY  
COURT - WDPA

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

<b>IN RE:</b>	) <b>Case No. 22-20324-GLT</b>
David A. Golupski and	)
Maureen Y. Golupski,	) <b>Chapter 11 (Subchapter V)</b>
<b>Debtors,</b>	)
David A. Golupski and	) <b>Related Document No. 97</b>
Maureen Y. Golupski,	) <b>Hearing Date: 08/25/22 @ 10:30 a.m.</b>
<b>Movants,</b>	) <b>Responses Due: 08/15/22</b>
<b>v.</b>	)
No Respondent.	) <b>Document No. 97 and 164</b>

**MODIFIED ORDER APPROVING RETENTION OF BROKER**

**AND NOW** upon consideration of the *Debtor's request to Re-Employ James R. Higgins and SWFL Real Estate Experts*, it is **ORDERED, ADJUDGED** and **DECREED** as follows:

1. A request to re-employ James R. Higgins and SWFL Real Estate Experts, was made on October 27, 2022 at a scheduled hearing on this case.

2. That request is hereby approved because the original request to employ James R. Higgins and SWFL Real Estate Experts, was sent out to all parties, and no one objected to the original request.

3. *James R. Higgins and SWFL Real Estate Experts, 7910 Summerlin Lakes Drive, Fort Myers, FL 33907* is hereby appointed as **Brokers** for Debtors in this bankruptcy proceeding as of October 27, 2022. They are authorized to enter into a new Listing Agreement for the purpose of acting as the Debtors' agent in connection with the sale of real estate located at 8205 Woodridge Pointe Drive, Fort Myers, Florida 33912. A broker's commission in the amount of **5%** on the sale price is tentatively approved, subject to a final court order. This listing agreement and the Sale will be subject to Bankruptcy Court Rules and Procedures.

4. Professional persons or entities performing services in the above case are advised that approval of fees for professional services will be based on other factors as well including results accomplished, the time and labor reasonably required by the applicant to perform the task(s) involved, the customary fee for similar services, the time limitations imposed by the retention or the circumstances encountered while performing the services, the relationship of the services, if any, to the ultimate bid amount for the subject property, and the extent and nature of awards in similar cases.

5. The approval of any application for appointment of a professional in which certain fees are requested is not an agreement by the Court to allow such fees in the requested amount. Final compensation, as awarded by the Court after notice and hearing, may be more or less than the requested amount based on the application of the above criteria.

**6. *Applicant shall serve the within Order on all interested parties and file a certificate of service.***

7. A copy of the amended listing agreement shall be submitted on or before November 10, 2022.

  
\_\_\_\_\_  
Chief Judge Gregory L. Tardone  
United States Bankruptcy Judge

cc: Debtor(s)  
Counsel  
Realtor/Broker  
Subchapter V Trustee  
Office of the U.S. Trustee

In re:  
David A. Golupski  
Maureen Y. Golupski  
Debtors

Case No. 22-20324-GLT  
Chapter 11

## CERTIFICATE OF NOTICE

District/off: 0315-2  
Date Rcvd: Nov 03, 2022

User: auto  
Form ID: pdf900

Page 1 of 2  
Total Noticed: 4

The following symbols are used throughout this certificate:

Symbol	Definition
+	Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Nov 05, 2022:

Recip ID	Recipient Name and Address
db/jdb	+ David A. Golupski, Maureen Y. Golupski, 5101 Carnoustie Drive, Presto, PA 15142-1507
br	+ James R. Higgins, SWFL Real Estate Experts, 7910 Summerlin Lakes Drive, Fort Myers, FL 33907-1828
br	+ SWFL Real Estate Experts, 7910 Summerlin Lakes Drive, Fort Myers, FL 33907-1828
intp	+ SWFL Real Estate Experts, 10461 Six Mile Cypress Parkway, Fort Myers, FL 33966-6513

TOTAL: 4

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.  
Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI).

NONE

## BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, \*duplicate of an address listed above, \*P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

NONE

## NOTICE CERTIFICATION

I, Gustava Winters, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Nov 05, 2022

Signature: /s/Gustava Winters

## CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on November 3, 2022 at the address(es) listed below:

Name	Email Address
Beverly Weiss Manne	on behalf of Creditor Advance Business Capital LLC dba Triumph Business Capital bmanne@tuckerlaw.com, bewmanne@aol.com, jrusnack@tuckerlaw.com
Brian Nicholas	on behalf of Creditor PNC Bank National Association bnicholas@kmlawgroup.com
Courtney Helbling	on behalf of Creditor Advance Business Capital LLC dba Triumph Business Capital chelbling@tuckerlaw.com
Donald R. Calaiaro	on behalf of Debtor David A. Golupski dcalaiaro@c-vlaw.com

District/off: 0315-2

User: auto

Page 2 of 2

Date Rcvd: Nov 03, 2022

Form ID: pdf900

Total Noticed: 4

kmosur@c-vlaw.com;ssimmons@c-vlaw.com;jadam@c-vlaw.com;apratt@c-vlaw.com;mpeduto@c-vlaw.com;mlocke@c-vlaw.c  
om;eballa@c-vlaw.com

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Donald R. Calaiaro

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Keri P. Ebeck

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Ryan J Cooney

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TOTAL: 22